FILED
October 20, 2010
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
0003015296

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1	3 PAGES CHRISTIAN L. RAISNER, Bar No. 133839		
2	YURI Y. GOTTESMAN, Bar No. 264924 WEINBERG, ROGER & ROSENFELD		
3	A Professional Corporation 1001 Marina Village Parkway, Suite 200		
4	Alameda, California 94501-1091 Telephone 510.337.1001		
5	Fax 510.337.1023		
6	Attorneys for Creditor The Bakery, Confectionery, Tobacco Workers		
7	Union Local No. 85 and Teamsters Local 324		
8	LINITED STATES	BANKRUPTCY COURT	
9	EASTERN DISTRICT OF CALIFORNIA		
10	(SACRAMENTO DIVISION)		
11	(SACRAIVIE	ENTO DIVISION)	
12	In re) Lead Case No. 10-39672	(MSM)
13	MATTERHORN GROUP, INC.,) (Jointly Administered wi) (MSM) and 10-39670 (M	
14	Debtor.)) DC No. LNB-17	,
15)) Chapter 11 Case	
16	VITAFREZE FROZEN CONFECTIONS, INC.,))	
17	Debtor.	DECLARATION OF E SUPPORT OF UNIONS	
18	Deotor.	WITHDRAW THE RE DEBTORS' MOTION	FERENCE OF
19	DELUXE ICE CREAM COMPANY,) REJECT COLLECTIV) AGREEMENTS WITH	E BARGAINING
20	Debtor.) CONFECTIONERY, T) WORKERS AND GRA	OBACCO
21	Deotor.) INTERNATIONAL UN AND GENERAL TEAM	IION LOCAL NO. 85
22	₩ ACC / ALL DEDTORC	28 U.S.C. § 157(d)	MSTERS LOCAL 324
23	✓ Affects ALL DEBTORS ☐ Affects only MATTERHORN)) DATE:	
24	GROUPS, INC. ☐ Affects only VITRAFREZE FROZEN) DATE:) TIME: 	
25	CONFECTIONS, INC. Affects only DELUXE ICE CREAM) PLACE: U. S. Distr 501 "I" St	
26	COMPANY)	10, CA 93614
27) Judge:	
28 weinberg, roger &			
ROSENFELD A Professional Corporation 1001 Marina Village Parkway Suite 200			
Alameda, CA 94501-1091 510.337.1001			
	II		

1	CHRISTIAN L. RAISNER, Bar No. 133839 EMILY P. RICH, Bar No. 168735				
2	WEINBERG, ROGER & ROSENFELD A Professional Corporation				
3	1001 Marina Village Parkway, Suite 200 Alameda, California 94501-1091				
4	Telephone: 510.337.1001 Facsimile: 510.337.1023				
5	E-mail: craisner@unioncounsel.net erich@unioncounsel.net				
6	courtnotices@unioncounsel.net				
7	Attorneys for Movants The Bakery, Confectionery, Tobacco Workers				
8	Union Local No. 85 and Teamsters Local 324				
9	UNITED STATES DISTRICT COURT				
10	EASTERN DISTRICT OF CALIFORNIA (SACRAMENTO DIVISON)				
11	In re	Case No.			
12	MATTERHORN GROUP, INC.,	,) Bankruptcy L) (Jointly Admi	ead Case No. 10-39672 (MSM)		
13	Debtor.		4 (MSM) and 10-39670 (MSM)		
14	VITAFREZE FROZEN CONFECTIONS, INC.,	,)) Chanter 11 Ca	ice		
15)			
16	Debtor.	SUPPORT O	ION OF EMILY P. RICH IN F UNIONS' JOINT MOTION		
16 17	Deptor.	SUPPORT O TO WITHDE DEBTORS'	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR		
	Deptor.) SUPPORT O) TO WITHDE) DEBTORS' I) REJECT CO) AGREEMEN	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR LLECTIVE BARGAINING NTS WITH THE BAKERY,		
17	Deptor.	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR PLLECTIVE BARGAINING NTS WITH THE BAKERY, DNERY, TOBACCO AND GRAIN MILLERS'		
17 18	Deptor.	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS A INTERNATI AND GENEE	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR ELECTIVE BARGAINING NTS WITH THE BAKERY, ONERY, TOBACCO AND GRAIN MILLERS' ONAL UNION LOCAL NO. 85 RAL TEAMSTERS LOCAL 324		
17 18 19	Deptor.	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS A INTERNATI	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR ELECTIVE BARGAINING NTS WITH THE BAKERY, ONERY, TOBACCO AND GRAIN MILLERS' ONAL UNION LOCAL NO. 85 RAL TEAMSTERS LOCAL 324		
17 18 19 20		SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS A INTERNATI AND GENEE 28 U.S.C. § 1:	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR ELECTIVE BARGAINING NTS WITH THE BAKERY, DNERY, TOBACCO AND GRAIN MILLERS' ONAL UNION LOCAL NO. 85 RAL TEAMSTERS LOCAL 324 57(d) TBA		
17 18 19 20 21	DELUXE ICE CREAM COMPANY,	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 18 DATE: TIME: DEPT:	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR LLECTIVE BARGAINING NTS WITH THE BAKERY, ONERY, TOBACCO AND GRAIN MILLERS' ONAL UNION LOCAL NO. 85 RAL TEAMSTERS LOCAL 324 57(d) TBA TBA TBA TBA TBA		
17 18 19 20 21 22		SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 19 DATE: TIME:	F UNIONS' JOINT MOTION RAW THE REFERENCE OF MOTION TO MODIFY OR LLECTIVE BARGAINING NTS WITH THE BAKERY, ONERY, TOBACCO AND GRAIN MILLERS' ONAL UNION LOCAL NO. 85 RAL TEAMSTERS LOCAL 324 57(d) TBA TBA TBA		
17 18 19 20 21 22 23	DELUXE ICE CREAM COMPANY,	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 18 DATE: TIME: DEPT:	TEAMSTERS LOCAL 324 TBA TBA TBA TBA TBA 501 "I" Street		
17 18 19 20 21 22 23 24	DELUXE ICE CREAM COMPANY, Debtor. Affects ALL DEBTORS	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 1: DATE: TIME: DEPT: PLACE:	TEAMSTERS LOCAL 324 TBA TBA TBA TBA TBA 501 "I" Street		
17 18 19 20 21 22 23 24 25	DELUXE ICE CREAM COMPANY, Debtor. □ Affects ALL DEBTORS □ Affects only MATTERHORN GROUPS, INC. □ Affects only VITRAFREZE FORZEN	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 1: DATE: TIME: DEPT: PLACE:	TEAMSTERS LOCAL 324 TBA TBA TBA TBA TBA 501 "I" Street		
17 18 19 20 21 22 23 24 25 26	DELUXE ICE CREAM COMPANY, Debtor. ☐ Affects ALL DEBTORS ☐ Affects only MATTERHORN GROUPS, INC. ☐ Affects only VITRAFREZE FORZEN CONFECTIONS, INC.	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 1: DATE: TIME: DEPT: PLACE:	TEAMSTERS LOCAL 324 TBA TBA TBA TBA TBA 501 "I" Street		
17 18 19 20 21 22 23 24 25 26 27 28	DELUXE ICE CREAM COMPANY, Debtor. ☐ Affects ALL DEBTORS ☐ Affects only MATTERHORN GROUPS, INC. ☐ Affects only VITRAFREZE FORZEN CONFECTIONS, INC.	SUPPORT O TO WITHDE DEBTORS' I REJECT CO AGREEMEN CONFECTIO WORKERS INTERNATI AND GENEE 28 U.S.C. § 1: DATE: TIME: DEPT: PLACE:	TEAMSTERS LOCAL 324 TBA TBA TBA TBA TBA 501 "I" Street		

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28 Einberg, roger & ROSENFELD ofessional Corporation 1 Marina Village Parkway Suite 200

I, EMILY P. RICH, declare that:

- I am a shareholder with the law firm of Weinberg, Roger & Rosenfeld and one of the attorneys of record for Attorneys for Creditors for The Bakery, Confectionery, Tobacco Workers And Grain Millers' International Union Local No. 85 And Teamsters Local 324. I make this declaration in support of the Unions' Joint Motion To Withdraw The Reference Of Debtors' Motion To Modify Or Reject Collective Bargaining Agreements With The Bakery, Confectionery, Tobacco Workers And Grain Millers' International Union Local No. 85 And General Teamsters Local 324.
- 2. I am familiar with the matters set forth herein, and, if called as a witness, I could and would competently testify thereto.
- 3. Attached hereto as Exhibit 1 is a true and correct copy of Memorandum Of Points And Authorities In Support Debtors' Motion To Modify Or Reject Collective Bargaining Agreements with the Bakery, Confectionery, Tobacco Workers And Grain Millers' International Union, AFL-CIO Local No. 85 And General Teamsters Local 324 filed in the bankruptcy court (Lead Case No. 10-39672 (MSM)) on October 11, 2010.
- Attached hereto as Exhibit 2 is a true and correct copy of the Exhibits to Debtors' Motion To Modify Or Reject Collective Bargaining Agreements with the Bakery, Confectionery, Tobacco Workers And Grain Millers' International Union, AFL-CIO Local No. 85 And General Teamsters Local 324 filed in the bankruptcy court (Lead Case No. 10-39672 (MSM)) on October 11, 2010.
- 5. Attached hereto as Exhibit 3 is a true and correct copy of Memorandum Of Points And Authorities In Support Of The Bakery, Confectionery, Tobacco Workers And Grain Millers' International Union Local No. 85 And Teamsters Local 324's Joint Opposition To Debtors' Motion To Modify Or Reject Collective Bargaining Agreements filed in the bankruptcy court (Lead Case No. 10-39672 (MSM)) on October 18, 2010.
- 6. Attached hereto as Exhibit 4 is a true and correct copy of the Declaration Of Yuri Y. Gottesman In Opposition To Debtors' Motion To Modify Or Reject Collective Bargaining Agreements and Exhibits A-L thereto, filed in the bankruptcy court (Lead Case No. 10-39672)

(MSM)) on October 18, 2010. Executed under penalty of perjury, this 19th of October 2010 at Alameda, California. /s/ EMILY P. RICH EMILY P. RICH 125590/593529 28
WEINBERG, ROGER &
ROSENFELD
A Professional Corporation
1001 Marina Village Parkway
Sure 20,9
Alameda. CA 94,501-1091
510,337,1001 - 3 -